

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

THE COMMUNITY CHURCH OF
CHESTERLAND OHIO, JESS PEACOCK,
MEGAN CARVER, and CONSTANCE
BECKER,

Plaintiffs,

v.

AIMENN D. PENNY, CHRIS UTHE,
BRANDON PERDUE, SHERRI PERDUE,
and UNNAMED MEMBERS OF WHITE
LIVES MATTER OHIO,

Defendants.

Civil Action No.

COMPLAINT

JURY DEMAND ENDORSED HEREIN

Now come Plaintiffs Community Church of Chesterland Ohio (“Community Church”), Jess Peacock (“Rev. Peacock”), Megan Carver (“Ms. Carver”), and Constance Becker (“Ms. Becker”) (collectively, “Plaintiffs”), by and through their undersigned counsel, and for their Complaint against Defendants Aimenn D. Penny (“Penny”), Chris Uthe (“Uthe”), Brandon Perdue (“B. Perdue”), Sherri Perdue (“S. Perdue”), and unnamed members of White Lives Matter Ohio (collectively, “Defendants”) state as follows:

INTRODUCTION

1. This is a civil rights action arising from Defendants’ conspiracy to violate and deprive Plaintiff Community Church of its property and to interfere with the individual Plaintiffs’ lawful exercise of their First Amendment right of religious freedom at a place of religious worship.

2. Defendants conspired to violate and deprive Community Church of its property located at 11984 Caves Road, Chesterland, Ohio (the “Community Church Property”). The Community Church Property is located on a rural country road in Geauga County, Ohio and is the primary worship space for the members of the Community Church, which is a loving and welcoming community of faith belonging to the denomination of the United Church of Christ.

3. A central tenet of the Community Church and its members’ religious practice is its stance as an “Open and Affirming Church.” The Community Church and its members fully welcome all people regardless of race, gender, sexual orientation, nationality or ethnicity. The Community Church has been focused on social justice issues since the 1950s and has a proud history of church members who “marched, protested, and developed programs to fight issues such as civil rights, fair housing, the farm workers[’] movement, hunger, and domestic violence.” The Community Church asks its members to live their faith in order to strengthen the community. The Community Church champions the historical role of women in the church, including in leadership, and uses gender inclusive language and diverse imagery in song books, prayers, and liturgical materials. The Community Church embraces racially diverse imagery and pro-LGBTQIA+ imagery, such as rainbow flags, demonstrating the membership’s belief to love everyone, especially those who have been previously excluded from other places of worship. Every year, the Community Church participates in Cleveland Pride and Geauga Pride events that are meant to show love, support, and embrace the LGBTQIA+ community.

4. In order to live out this mission as an “Open and Affirming Church,” the Community Church and its members participate in events throughout the year to support all people regardless of race, gender, sexual orientation, nationality or ethnicity. One such event is the “Drag Brunch and Story Hour” which the Community Church hosted on April 1, 2023 on its

property. This event allows the Community Church and its members to practice their religious faith by welcoming all people, regardless of gender or sexual orientation, into their church.

5. Defendants, along with others known and unknown, are members of the Ohio chapter of White Lives Matter, a network of white supremacists who engage in “pro-White activism.” White Lives Matter has pledged, in writing, to “fight for and will achieve... [b]y any means necessary [...] the physical, cultural, and spiritual continuation of our people in all of the countries or continents that we have built... By physical continuation, we mean *an absolute White majority* population in these nations from now and until the end of time.” (emphasis added). White Lives Matter has declared: “We are in this until the end. Victory or Death[.]” in pursuit of its objectives.

6. As part of its efforts to establish “an absolute White majority,” Defendants and other known and unknown members of White Lives Matter Ohio believe members of the LGBTQIA+ community are “grooming” white children with events like the Drag Brunch and Story Hour. In response to other drag story hour events, Defendants distributed flyers affirming their stance that “children & faggots don’t mix,” “drag yourself away from kids,” and “all faggots groom kids.”

7. White Lives Matter provides members with a focused community of hate-directed pro-white, antisemitic, and anti-LGBTQIA+ individuals. White Lives Matter members willingly affiliate and join the network, are vetted by existing members, and are required to engage in “activism” before membership in the network is confirmed. White Lives Matter’s focus on real-life “activism” requires members to not be passive observers. As the White Lives Matter Manual stresses, “[w]hat does NOT make you an activist, regardless of whether you are pro-White in

mind & soul, is being passive & not taking real-life physical action . . . ***you must be willing to DO something even if you were alone.***” (emphasis added).

8. As part of the Defendants’ conspiracy to deprive the Community Church of its use of the Community Church Property, and to intentionally interfere with the individual Plaintiffs’ lawful exercise of their First Amendment right of religious freedom at a place of religious worship, during the early morning hours of March 25, 2023 – just days before the Community Church’s planned Drag Brunch and Story Hour – Defendant Penny trespassed onto the Community Church Property and attacked the property through the use of one or more incendiary devices that he had constructed in order to destroy the Community Church Property.

9. Defendant Penny has admitted the reason he attacked the Community Church was because “men should not dress up as females in front of kids and vice versa. That’s not natural. And children . . . shouldn’t see that kind of thing at all, and especially in a public place of worship, supposed worship, of a God that is against such things. ***And that’s my justification for what I did.***” (emphasis added).

10. On October 23, 2023, Defendant Penny pleaded guilty to, and was convicted of 1) violating 18 U.S.C. § 247(a)(2) and (d)(3), obstruction of persons in the free exercise of their religious beliefs; and 2) 18 U.S.C. § 844(h)(1), use of fire or explosive to commit a felony.

11. According to Defendant Penny’s father, Defendant Penny’s decision to try and firebomb the church was because he was “brainwashed by online extremists,” like Defendants and other known and unknown members of White Lives Matter Ohio.

12. After his arrest, and while still incarcerated, Defendant Penny continued to act in furtherance of the conspiracy by attempting to send his Molotov cocktail recipe to other individuals (along with instructions to “[e]njoy results”) and encouraging an additional attack on

a specific target, the Akron Civic Theatre, which was scheduled to hold another drag show event in April 2023. Defendant Penny also attempted to send out a “manifesto” to other individuals. On information and belief, the intended recipients of these communications include members of White Lives Matter Ohio, including the Defendants.

13. Plaintiffs assert claims against Defendants seeking redress under 42 U.S.C. § 1985 (Conspiracy to Interfere with Civil Rights) and 42 U.S.C. § 1988 (Civil Rights Attorney Fee Award Act); 18 U.S.C. § 248 (Freedom of Access to Clinic Entrances and Places of Religious Worship (the “FACE Act”)); Ohio Rev. Code §§ 2307.60 and 2307.70 (Civil Liability for Vandalism, Desecration, or Ethnic Intimidation), common law Trespass to Land, and common law Intentional Infliction of Emotional Distress for Defendants’ violation of Plaintiffs’ constitutional rights.

14. As a direct and proximate result of the actions of Defendants, Plaintiffs were deprived of their constitutionally-guaranteed rights, and did endure economic and non-economic damages. Plaintiffs seek compensatory and punitive damages, as well as reasonable attorneys’ fees and the costs of this litigation.

JURISDICTION AND VENUE

15. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331 and 1343(a)(1) because Plaintiffs allege violations of their civil rights under federal law and Plaintiffs seek to recover damages for injury to their person and/or property by acts done in furtherance of a conspiracy as stated in 42 U.S.C. § 1985. This Court also has jurisdiction pursuant to 18 U.S.C. § 248(c)(1)(A) because Plaintiffs allege Defendants violated their First Amendment rights to exercise religious freedom at a place of worship and Plaintiffs seek to recover compensatory and punitive damages pursuant to 18 U.S.C. § 248(c)(1)(B).

16. This Court has supplemental jurisdiction over the state statutory and common law claims pursuant to 28 U.S.C. § 1367(a) because the state law claims form part of the same case or controversy under Article III of the United States Constitution.

17. Venue is proper in the Northern District of Ohio pursuant to 28 U.S.C. § 1391(b)(2) because a substantial part of the events giving rise to Plaintiffs' claims occurred in this District and a substantial part of property that is the subject of the action is situated in this District.

PARTIES

18. Plaintiffs incorporate by reference all of the above paragraphs of this Complaint as though fully set forth at length herein.

19. Community Church is a non-profit church organized and existing under the laws of the State of Ohio, and located at 11984 Caves Road, Chesterland, Ohio.

20. Community Church is affiliated with the United Church of Christ denomination and is an "Open and Affirming Church."

21. Rev. Peacock is a resident of Ohio and serves as the Pastor of Community Church.

22. Ms. Carver is a resident of Ohio and is a fourth-generation member of Community Church. Ms. Carver serves as the Social Justice & Outreach Co-Chair on the Community Church Council and as the Financial Secretary for Community Church.

23. Ms. Becker is a resident of Ohio and is a third-generation member of Community Church. Ms. Becker serves as a Moderator/Chair of the Board for Community Church.

24. Defendants Penny, Uthe, B. Perdue, S. Perdue and others known and unknown were, at all relevant times, active members of White Lives Matter Ohio.

FACTUAL BACKGROUND

25. Plaintiffs incorporate by reference all of the above paragraphs of this Complaint as though fully set forth at length herein.

Civil Rights Laws

26. 42 U.S.C. § 1985 prohibits conspiracies that interfere with civil rights.

27. Section 1985(3) expressly imposes civil liability for participating in a conspiracy intended to deprive, “either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws.” 42 U.S.C. § 1985(3).

28. Defendants conspired to violate Plaintiffs’ rights to freely exercise their religious beliefs and practices in direct violation of § 1985(3) and are therefore civilly liable to Plaintiffs.

29. The Freedom of Access to Clinic Entrances (FACE) Act, 18 U.S.C. § 248(a)(2), proscribes the use of force or threats of force that “intentionally injures, intimidates or interferes with or attempts to injure, intimidate or interfere with any person lawfully exercising or seeking to exercise the First Amendment right of religious freedom at a place of religious worship.”

30. The FACE Act, 18 U.S.C. § 248(a)(3), also prohibits intentionally damaging or destroying, or attempting to do so, the property of a place of religious worship.

31. Section 248(c)(1)(A)-(B), authorizes civil actions against persons who violate the FACE Act. 18 U.S.C. § 248(c)(1)(A)-(B).

32. Defendants violated the FACE Act and are therefore civilly liable to Plaintiffs.

Community Church of Chesterland

33. Community Church is a part of the United Church of Christ denomination. As part of its ministry, Community Church focuses on social justice issues and members of the Community Church are encouraged to live their faith.

34. As an “Open and Affirming Church,” Community Church welcomes all people regardless of race, gender, age, sexual orientation, faith, nationality, ethnicity, marital status, physical ability, and economic situation. This drives the ministry in all areas of the church, including the building and grounds. Without the ability to host social justice events, like the Drag Brunch and Story Hour, the Community Church and its members cannot fully practice their religious faith.

United Church of Christ Denomination

35. The United Church of Christ’s mission is to “welcome all, love all, and seek justice for all.” Central to the identity of the church is doing justice, seeking peace, and building community.

36. The church has multiple “Faithful Action Ministries,” with one being the Racial Justice Ministry. The church’s Racial Justice Ministries page states “the reality of racism, white supremacy and nationalism threatens God’s sacred human family. As people of faith we remain vigilant anti-racists [sic] advocates and activists responding to threats and acts of violence towards our sisters and brothers—our siblings of African, Asian, Latin, and Native descent—whose civil and human rights are violated on a daily basis.”

37. Through its “Join the Movement Campaign,” the church recognizes local churches’ efforts towards racial justice and “advocate[s] for all people to live without acts of violence or structures and systems that harm God’s human creation.”

38. On its website, the church lists multiple events including webinars on “Listening Deeply to LGBTQIA+ Experiences” and a panel on “Celebrating Juneteenth: Practicing Antiracism from Emancipation to Freedom.”

The Conspiracy

White Lives Matter

39. White Lives Matter is a network of white supremacists who engage in “pro-White activism.” Members willingly affiliate and join the network, are vetted by existing members, and are required to engage in “activism” before membership in the network is confirmed. The network operates throughout the United States and provides members with a focused community of hate-directed pro-white, antisemitic, and anti-LGBTQIA+ individuals. White Lives Matter, through its individual members, promotes white supremacy, white racial consciousness, and vows to protect white (and only white) children. White Lives Matter requires its members to engage in activism anonymously and by using “operational security” or “OP-SEC” to prevent the identification of individual members, and White Lives Matter intends for the movement to grow organically through the expansion of “cells” (closely-knit, but cabined, groups who are dispersed so that the disruption of any one “cell” cannot collapse the entire network).

40. White Lives Matter Ohio is the Ohio chapter of the movement. At all times relevant herein, White Lives Matter Ohio was an individual state network of the broader White Lives Matter network. White Lives Matter Ohio requires members to coordinate with each other on activism events and encourages alignment with similar extremist groups, such as Blood Tribe, in order to amplify their shared message of hatred.

41. White Lives Matter has published a manual, the White Lives Matter Activists’ Manual (“the White Lives Matter Manual”). The reading of and familiarity with the White Lives Matter Manual is mandatory for members who wish to join the organization. White Lives Matter publishes the manual online through a variety of outlets, including the group’s “HQ” channel on Telegram. According to White Lives Matter, “[t]his 26 page manual is essential to anyone holding pro-White sentiments and who wants to enact them. It contains information on White

Lives Matter as an initiative, all-activism [sic] tips, how to avoid entrapment, and more.” White Lives Matter intends for the information inside of the manual to take new members “from a complete beginner to an experienced activist within days.”

42. The White Lives Matter Manual describes the “goal” of White Lives Matter as “secur[ing] the existence of our race and provid[ing] a future for White Children . . . [b]y any means . . . whatever we deem necessary at any point in time to be the best course of action for our people, we will do.” White Lives Matter describes itself as being “apolitical yet racial, and action-focused yet anonymous.”

43. The White Lives Matter Manual states that the “primary motivation” of White Lives Matter is “the future of White Children.”

44. According to the White Lives Matter Manual, the network was launched in or around April 2021. The White Lives Matter Activism Manual states, on its cover, that it was published in January 2022 – “too many years late.”

45. The White Lives Matter Manual outlines specific steps for individuals to follow in order to properly take part in its activities as members of the network. In particular, the White Lives Matter Manual places a premium on members maintaining anonymity and utilizing OP-SEC techniques. For example, it is mandatory that members purchase and wear a full balaclava (a partial face covering) to obscure the identity of the member.

46. The White Lives Matter Manual states that in order to participate in White Lives Matter events with other members or to become a local administrator/organizer, individuals must be vetted both online and in person. “If you want to do activism with other people as part of a local White Lives Matter effort or become a local admin, you will have to be vetted online and in real life. To be vetted as either one, please message [a specific contact address].”

47. In addition to the local administrator role, the White Lives Matter Manual provides additional roles for local efforts. These suggested roles include individuals to handle vetting, marketing, security, teaching, legal, and a local effort leader.

48. Upon information and belief, White Lives Matter schedules specific days each month for its members to engage in “pro-White” activism on its behalf.

49. The White Lives Matter Manual provides a schedule of its “2022 Event Dates” and includes that, at a minimum, there will be an event every month of the year. White Lives Matter’s Telegram channel provides a similar schedule for pro-white activism, but for 2023.



50. White Lives Matter Ohio’s days of activism in 2022 or 2023 coincided with White Lives Matter’s scheduled days of action.

51. New White Lives Matter “activists” are required to complete a 14-point checklist of tasks to gain membership. These tasks include engaging in online and real life so-called “activism.”

52. White Lives Matter’s focus on real-life “activism” requires members to not be passive observers. As the White Lives Matter Manual stresses, “[w]hat does NOT make you an

activist, regardless of whether you are pro-White in mind & soul, is being passive & not taking real-life physical action . . . *you must be willing to DO something even if you were alone.*”

(emphasis added).

53. The White Lives Matter Manual sets out specific formats for each chapter’s Telegram channel, both for chapters in the United States and Europe. The White Lives Matter Manual also provides a pinned post “navigator” on Telegram for additional information on these channels.

54. The White Lives Matter Ohio Telegram channel was created on April 18, 2021. This channel conforms to the format required by the White Lives Matter Manual.

55. White Lives Matter Ohio members communicate through multiple White Lives Matter Ohio Telegram channels and other various social media sites including Gab and Odysee. These channels are used to discuss events, messaging, and promote White Lives Matter Ohio members’ “activism.” The networks spread White Lives Matter’s messaging to “as many White People as possible.”

56. The White Lives Matter Manual states that all White Lives Matter members should fight to “ensure the physical, cultural, and spiritual continuation of our people. . . . By physical continuation, we mean an absolute White majority population in these nations from now until the end of time.” According to the White Lives Matter Manual, White Lives Matter’s mission is “to secure a future for White Children in an [sic] 99% White Land.”

57. These goals are achieved through members attending White Lives Matter Ohio events and rallies, including rallies at events that have been deemed contrary to White Lives Matter’s goals to protect white children. The White Lives Matter Manual states that “the best way someone can prove they are pro-White is proof of activism.” White Lives Matter’s “ideal of

White Racial Consciousness that could take on the anti-White System can only be accomplished if we ***fight*** in every way we can. Be it politics, media, schools, churches, sports or streets, we must give all we have in order to save our people.” (emphasis added).

58. Upon information and belief, White Lives Matter Ohio members, including the Defendants, have demonstrated clear discriminatory animus towards Community Church, its members, and the United Church of Christ denomination because of their religious beliefs and practices.

The Conspirators

59. There are several known members of White Lives Matter Ohio. These members attended several White Lives Matter Ohio rallies and “activism” events culminating in the March 2023 attack on Community Church. These rallies and “activism” leading up to the attack on the Community Church were directed at others engaged in advancing racial or social justice similar to the practices of the Community Church members, and demonstrate Defendants’ increasingly hateful and violent conspiracy to deprive Plaintiffs from practicing their diverse and inclusive religion.

60. The first known conspirator is Defendant Penny. Upon information and belief, Defendant Penny joined White Lives Matter Ohio in or around October 2022. Defendant Penny participated in several White Lives Matter Ohio activism events with other White Lives Matter Ohio members after joining the network. These events took place on December 2, 2022; January 14, 2023; February 11, 2023; February 25, 2023; March 4, 2023; March 11, 2023; and the weekend of March 24–25, 2023. These events culminated in Defendant Penny attempting to destroy the Community Church on behalf of White Lives Matter Ohio, and in furtherance of the conspiracy, on March 25, 2023.

61. The second known conspirator is Defendant Uthe. Uthe is the apparent leader of White Lives Matter Ohio. He attended the White Lives Matter Ohio events on December 2, 2022; February 25, 2023; March 4, 2023; March 11, 2023; and March 25, 2023, with Defendant Penny.

62. The third known conspirator is Defendant B. Perdue. B. Perdue attended the White Lives Matter Ohio events on December 2, 2022; January 14, 2023; February 11, 2023; February 25, 2023; and March 11, 2023, with Defendant Penny.

63. The fourth known conspirator is Defendant S. Perdue, B. Perdue's wife. S. Perdue attended the White Lives Matter Ohio events on January 14, 2023; February 25, 2023; and March 11, 2023, with Defendant Penny.

64. Other members of White Lives Matter Ohio, who are not named in this complaint, attended White Lives Matter Ohio events with Defendants, and participated in the conspiracy to deprive Plaintiffs of their rights and property.

Acts in Furtherance of the Conspiracy

65. On numerous occasions between December 2022 and April 2023, Defendants and other White Lives Matter Ohio members attended activism events directed at racial and social justice efforts aligned with the Community Church's mission and its members' beliefs, culminating in the attack on the Community Church. Defendants' months-long campaign of intimidation, hate and violence, ending with the fire-bombing of the Community Church, is evidence of the conspiracy to interfere, through any means necessary, up to and including the use of force, with the Community Church's and its members' exercise of religion.

66. Upon information and belief, Defendants used White Lives Matter Ohio events and the White Lives Matter Ohio Telegram channel to plan their efforts to harm and intimidate Plaintiffs, and to destroy Community Church's property. Defendants specifically planned to

interfere with and disrupt Plaintiffs' rights to exercise their religion by acting out against Community Church's planned event, intimidating Plaintiffs, and destroying church property.

67. Defendants entered this conspiracy based on the belief that the Community Church, through the church members' exercise of their religion and use of church property, endangers white children, and that as members of White Lives Matter Ohio, Defendants had a duty to protect white children. By taking action, Defendants believed they were helping secure the future of the "White race."

68. Defendants' actions interfered with Plaintiffs' lawful right to exercise their diverse and inclusive religion, as well as use of church property.

69. Upon information and belief, all of the following actions were coordinated by the Defendants through at least one of the White Lives Matter Ohio Telegram channels.

Defendant Penny's October 2022 Police Encounter

70. On October 11, 2022, soon after Defendant Penny joined White Lives Matter Ohio, the Alliance Police Department observed him placing White Lives Matter flyers on vehicles throughout the city.

71. Penny told police officers that his conduct was "an effort to spread the 'word'" and that "African Americans were the 'problem.'" Penny indicated that "he wanted to educate everyone about African American violence toward white Americans."

72. Defendant Penny further stated that "he believed African Americans were solely responsible for the high crime rate across the country" and he "looks forward to - the civil war coming between races." Defendant Penny "expressed his belief that the United States will not prosper until all the other races, or 'weaknesses' as he called them, are gone."

Event Cancelled at the First Unitarian Universalist Church of Columbus

73. The Red Oak Community School planned a “Holi-Drag Storytime” event to be held at the Unitarian Universalist Church on December 3, 2022. The Red Oak Community School and the Unitarian Universalist Church are co-located on the same property in Columbus, Ohio.

74. During the event, a diverse group of drag performers were planning to read stories to children and perform holiday numbers to “normalize and celebrate the beautiful diversity of the gender spectrum” and “promote values such as love, kindness and inclusivity in children.” Attendance at this event was not mandatory for children at the school and the event was planned to be held outside of normal school hours on a weekend. Any children attending the event were expected to be accompanied by a parent or guardian.

75. Almost 1,000 tickets to the event were sold, raising more than \$5,000 for a local LGBTQIA+ charity.

76. Upon information and belief, White Lives Matter Ohio members collectively agreed to force the cancellation of the event.

77. The event was cancelled after Defendants and other extremist groups announced their plans to attend the event and hold an anti-LGBTQIA+ rally.

78. Even though the event was cancelled, multiple extremist groups gathered on the sidewalk leading to the Unitarian Universalist Church. White Lives Matter Ohio members “clash[ed] with counter-protestors, as well as people driving by.” Multiple members of the White Lives Matter Ohio group wore balaclavas, including balaclavas adorned with skulls.

79. In furtherance of the conspiracy, known and unknown conspirators held signs stating, “Groomers Not Welcome,” “DRAG yourself away from our children!!,” and “Don’t ‘DRAG’ children into that lifestyle!!”

80. Following the event, the White Lives Matter Ohio X account posted a video publicizing the Defendants' activism. This video showed a representative from the First Unitarian Universalist Church of Columbus tearfully announcing the cancellation of the Holi-Drag Storytime, followed by clips of the White Lives Matter "activism" that caused the event's cancellation. On the post, White Lives Matter Ohio stated, "Groomers are not welcome in OH!"

White Lives Matter Recruiting Event

81. On January 14, 2023, White Lives Matter Ohio members gathered in Upper Sandusky, Ohio in response to the death of a white woman allegedly murdered by a black man while she was working at a retail store.

82. White Lives Matter Ohio members planned this event to identify and recruit new members to support the conspiracy, including by displaying signs stating, "Join Us in Activism, Find Us On Telegram." White Lives Matter Ohio members also tried to recruit new members by walking up to cars stopped at red lights to distribute pro-white literature.

83. Known conspirators at this event include Defendants Penny, B. Perdue, and S. Perdue.

White Lives Matter February Day of Action

84. On February 11, 2023, White Lives Matter Ohio members coordinated and held a flash rally in Circleville, Ohio as part of the national White Lives Matter organization's monthly day of action.

85. At the rally, White Lives Matter Ohio members held signs stating, "Unity or Extinction, Choose Wisely White Man, Choose Soon" and "White Man, How long will you cower behind drugs, sports, porn, and alcohol while our women and children pay the price for diversity?"

86. White Lives Matter Ohio publicized this rally on their Telegram channel. They posted a video of the event with a caption stating, in part, “[t]his land is our land. We will secure the existence of our people and a future for our White children.”

87. Known conspirators at this event include Defendants Penny, B. Perdue, and S. Perdue.

February Rally at Scene of Alleged Racial Incident

88. On February 25, 2023, White Lives Matter Ohio members gathered in Springfield, Ohio, to rally against a perceived racial incident that took place at a local elementary school earlier that month.

89. In furtherance of the conspiracy, White Lives Matter Ohio members, including the named Defendants, yelled phrases such as “white children deserve better in the countries that our grandparents built,” “white children deserve a future in their countries,” and “white children deserve better in the countries that their forefathers conquered.”

90. White Lives Matter Ohio members, including the named Defendants, also furthered the conspiracy by holding signs with phrases such as “white children are now a hated minority” and “protect white children.”

91. White Lives Matter Ohio members, including the Defendants, yelled at passers-by in cars, using phrases such as “keep going, bitch,” if the driver did not agree with White Lives Matter Ohio’s pro-white messaging.

92. White Lives Matter Ohio publicized this rally by posting a video on their official Odysee page. The description of the video states “no longer will we be the ones standing idly by. Hiding behind a facade of supposed moral high ground while we take the brunt end of marxist anti-White attacks. **We will respond to force with an increased amount of force.**” (emphasis added).

93. Known conspirators at this event include Defendants Penny, Uthe, B. Perdue, and S. Perdue.

The March 2023 Wadsworth Rally

94. A humanist group planned a “Rock-n-Roll Humanist Drag Queen Story Hour” event to take place in Wadsworth, Ohio on March 11, 2023.

95. On March 4, 2023, White Lives Matter Ohio members met at a park in Wadsworth, Ohio to distribute flyers in an effort to recruit others and cause the cancellation of the event.

96. Known conspirators at this event are Defendants Penny and Uthe.

97. According to the Wadsworth Police Department call reports, police were called after Defendants were seen placing “propaganda posters” in the park. The police told Defendants they could not post the flyers without a permit.

98. Defendants also asked about putting flyers in people’s driveways, and the police advised Defendants against doing so.

99. Defendants disregarded police instructions, and in furtherance of the conspiracy, Defendants distributed 2,000 flyers throughout Wadsworth, including by placing flyers on car windshields, on people’s doors, and throwing them in residential driveways.

100. The Wadsworth Police Department received multiple calls about these flyers. One caller said that a flyer stated that armed ANTIFA and BLM members would be in the city the following week. Another caller stated that the signs publicized links to the White Lives Matter official Telegram account.

101. As seen on White Lives Matter’s Odysee page, these flyers also focused on the March 11, 2023, story time event. The flyer labeled the event a “Childrens [sic] Drag Event” and provided the time, date, and location of the event.

102. The White Lives Matter Official Telegram page reposted White Lives Matter Ohio’s publicity video about the flyer distribution.

103. In this Telegram post, White Lives Matter Official captioned the video by saying: “There is a reason this initiative has grown to be so impactful and unifying towards the great 14 words ideal. ... These principles have been reflected faithfully by White Lives Matter activists every single day since April 2021. To us and many pro-Whites, these activists are nothing short of heroes. With our own resources, with our own minds and with our own hands - we will secure an existence for our race and a future for White Children. As we are approaching our second anniversary, we are calling upon YOU to finally step up and join in impactful pro-White action.”

104. In White Lives Matter Official’s Telegram post, “14 Words” refers to the central mission of white supremacists: “We must secure the existence of our people and a future for white children.”¹

105. On or about March 11, 2023, White Lives Matter Ohio members held a rally against the “Rock-n-Roll Humanist Drag Queen Story Hour” in Wadsworth.

106. White Lives Matter Ohio members, including Defendant Penny, Defendant Uthe, Defendant B. Perdue, and Defendant S. Perdue, attended the rally carrying swastika flags and shouting racial and homophobic slurs and “Heil Hitler.”

¹ Anti-Defamation League, *14 Words*, ADL.ORG, <https://www.adl.org/resources/hate-symbol/14-words> (last visited Nov. 1, 2023).

107. In furtherance of the conspiracy, Defendants distributed flyers highlighting White Lives Matter Ohio's antisemitic and anti-LGBTQIA+ views and held up signs with phrases such as "children & faggots don't mix," "drag yourself away from kids," and "all faggots groom kids."

108. Defendant Penny, in full tactical gear, attended the Wadsworth rally as a member of White Lives Matter Ohio and participated in the rally with other members of White Lives Matter Ohio.

109. In furtherance of the conspiracy, White Lives Matter Ohio members, including Defendant Penny, repeatedly shouted "Weimar conditions require Weimar solutions." "Weimar" refers to the German Weimar Republic between the First and Second World Wars. According to the White Lives Matter members, including Defendant Penny, the first "transgender clinic" was in the German Weimar Republic where "woman and children were mutilated, after they were selling them for sex" before the "Hitler Youth burned it down." According to White Lives Matter Ohio members at the event, including Defendant Penny, "[t]he same stuff is happening today" and "Weimar solutions" requires "rectifying all this shit."

110. In furtherance of the conspiracy, Defendant Uthe followed counter-protesters while carrying a bull horn and yelling "faggot pedophile" and "fucking faggot."

111. In furtherance of the conspiracy, Defendant B. Perdue yelled through a bull horn at families with children waiting to attend the drag story time, shouting, "You guys are fucking pedophiles. How do you sleep at night knowing this is going on?"

112. Defendants also verbally harassed police officers assigned to patrol the event, shouting things such as: "You [the police officers] go home at night and you're okay with this?", "This is the world we live in, where the fucking police protect these fucking faggots and

pedophiles.”, “You guys [the police officers] are pathetic for protecting this fucking shit.”, “The fact we live in a society where this is protected is fucking disgusting.”, and “ This is not freedom, this is pedophilia.”

113. Defendant Penny (pictured below) also shouted at counter-protesters, saying “fascism over faggots” while using the Nazi salute, and “[D]o you think your umbrellas cover up your degeneracy, faggots?”



114. Multiple White Lives Matter Ohio social media sites publicized the rally after it happened. In particular, the White Lives Matter Ohio Telegram channel posted a video of the rally with the caption: “It’s 2023, and here we are in the United States celebrating pedophilia. What was once a country whose population consisted of strong, noble men. As well as modest, caring women have now been replaced by a culture that accepts the sexualization of our children.”

115. White Lives Matter's official Odysee page also published a video of the rally, with the description "if you have wondered what it's going to take to protect these children the answer is in front of you right now."

116. Following the rally, multiple White Lives Matter Ohio accounts responded to a news article about the event. The news article was titled "Neo-Nazis Chanting 'Sieg Heil' Target Drag Queen Story Event." Defendant Uthe, White Lives Matter Ohio's leader, stated on his personal X page with respect to the news article, "That's right and we will most definitely be *doing it again*." (emphasis added). White Lives Matter Ohio's Official Gab page stated "We will be shitting on drag groomer events every chance we get. EXPECT US!!!"

117. Less than two weeks after Defendant Uthe stated "we will most definitely be doing it again" and the White Lives Matter Ohio's official page stated that White Lives Matter Ohio would be "shitting on drag groomer events every chance we get," Defendant Penny threw a Molotov cocktail at Community Church with the intent of preventing Community Church from hosting a planned drag event.

White Lives Matter Activity at the Berea Gun Show

118. Sometime on the weekend of March 25–26, 2023, Defendant Penny went with other members of White Lives Matter Ohio to distribute flyers in an effort to recruit new members at the Cleveland-Berea Gun Show in Berea, Ohio. White Lives Matter Ohio placed 300 flyers on car windshields outside of the gun show and at various locations inside of the gun show.

119. The known conspirators at this event are Defendants Penny and Uthe.

120. These flyers said, "*our children pay the price for our inaction*--stand up white man" and included a QR code to White Lives Matter Ohio's Telegram channel. (emphasis added).

121. White Lives Matter Ohio also publicized this action by posting a video on their Odysee page. In the video's description, White Lives Matter Ohio encouraged its members to "get out there and *put in work*." (emphasis added).

Hateful Communications Sent to Community Church

122. During all relevant time periods, and before the attack on the Community Church Property, Community Church received numerous hateful messages and comments related to its planned hosting of two drag show events on April 1, 2023, which were a drag queen brunch and story hour.

123. These drag show events were central to Community Church's mission to "welcome all, love all, and seek justice for all" and beliefs as an "Open and Affirming Church" welcoming all people regardless of race, gender, age, sexual orientation, faith, nationality, ethnicity, marital status, physical ability, and economic situation.

124. Upon information and belief, these communications were sent from unidentified members of White Lives Matter Ohio.

125. These communications contained similar White Lives Matter Ohio messaging that members used at other events relating to "grooming children," and promoting White Lives Matter Ohio's ideology of protecting white children.

126. A Facebook post directed at Community Church stated that "pedophiles involved hosting story time you're disgusting! child groomers church! can't wait for April 1st."

127. A Facebook message sent to Community Church stated "Please sir listen. Don't do something that God will hate. I beg of you. If you do this the blood will be upon your hands. If you say you love Jesus, we are to love thy neighbor. Not this! Praying you will not go through with it. God help us!!!"

128. Another Facebook message sent to Community Church stated “your drag queen story time is grooming our youth...you’re supposed to be a house of worshipping God. Do you truly believe God is accepting of this? Shame on you!”

129. On March 24, 2023, Community Church received a voicemail stating “One day you and your organization are going to answer to the Lord. With this drag queen crap, and mutilating kids, and letting kids put dollar bills in a drag queens’ pants? And that’s what you think is fine? This has nothing to do with love. You are destroying the youth of our world. No one cares if you’re gay, but a man thinking he’s a woman? That's bullshit. You will pay for it. You will pay. You will pay.”

Attack on the Church Property

130. On or around Saturday, March 25, 2023, Defendant Penny damaged the Community Church Property with incendiary devices.

131. Upon information and belief, as part of the conspiracy, Defendant Penny intentionally trespassed on the Church Property during the night and damaged the Church Property using two incendiary devices.

132. The incendiary devices left scorch marks on the front door of the building and on a banner hanging on Community Church’s exterior.

133. That same night, Defendant Penny also intentionally damaged a marquee sign on the Church Property by ripping the sign off of its posts and snapping the sign into pieces.

134. Defendant Penny damaged the Church Property because of his and other Defendants’ animus towards Community Church’s and its members’ religious beliefs and practices.

135. Defendant Penny's acts were undeniably perpetrated in response to Community Church's planned hosting of two drag show events on April 1, 2023, which were a drag queen brunch and story hour.

136. Defendant Penny told the FBI that he wanted to "protect children and stop the drag show event" and that "he became more and more angry after watching internet videos of news feeds and drag shows in France and decided to attack the church."

137. Upon information and belief, Defendant Penny intended that the incendiary devices burn the Church Property to the ground to thereby prevent Community Church and its members from using the property in the exercise of their religion.

138. Upon information and belief, Defendant Penny told the FBI that "he would have felt better if the Molotov cocktails were more effective and burned the entire church to the ground."

139. Based on Defendant Penny's bombing of the Church Property, on April 20, 2023, a federal Grand Jury returned an indictment against Defendant Penny charging him with, among other offenses, obstruction of persons in the free exercise of their religious beliefs in violation of 18 U.S.C. § 247(a)(2) and (d)(3) and arson in violation of 18 U.S.C. § 844(h)(1).

140. On October 23, 2023, Defendant Penny pleaded guilty to, and was convicted of, violating 18 U.S.C. § 247(a)(2) and (d)(3), obstruction of persons in the free exercise of their religious beliefs. The elements of this offense are: 1) the defendant acted intentionally; 2) the defendant obstructed by force or threat of force, including by threat of force against religious real property, any person in the enjoyment of that person's free exercise of religious beliefs, or attempted to do so; 3) the circumstances of the offense were in or affected interstate or foreign commerce; and 4) the offense involved the use of a dangerous weapon, explosive or fire.

141. During the plea colloquy, Defendant Penny confirmed that he understood the elements of the offense of violating 18 U.S.C. § 247(a)(2) and (d)(3), and confirmed that the government would be able to prove each of these elements beyond a reasonable doubt if the matter went to trial.

142. Defendant Penny also pleaded guilty to, and was convicted of, violating 18 U.S.C. § 844(h)(1), use of fire or explosive to commit a felony. The elements of this offense are: 1) the defendant committed a felony for which a person may be prosecuted in a Court of the United States (i.e., the crime of obstruction of persons in the free exercise of their religious beliefs) and 2) the defendant used fire or an explosive to commit the offense of obstruction of persons in the free exercise of religious beliefs.

143. During the plea colloquy, Defendant Penny confirmed that he understood the elements of the offense of violating 18 U.S.C. § 844(h)(1), and confirmed that the government would be able to prove each of these elements beyond a reasonable doubt if the matter went to trial.

144. In addition, Defendant Penny also confirmed that the summary of facts submitted to the court by the prosecutor to support his guilty plea and conviction were true, including the following facts: 1) Defendant “Penny stated that he would have felt better if the Molotov cocktails were more effective and burned the entire church to the ground,” and 2) Defendant “Penny took these actions intending to burn the church down by throwing Molotov cocktails at the building, using force and threat of force, and further intending to obstruct and attempt to obstruct persons in their enjoyment of their religious beliefs.”

145. While incarcerated, and awaiting to be sentenced for the above-described criminal offenses, Defendant Penny continued to act in furtherance of the conspiracy by attempting to

communicate with White Lives Matter Ohio members and Blood Tribe members to coordinate additional attacks. Defendant Penny attempted to send his Molotov cocktail recipe stating “[e]njoy results” and encouraged an additional attack on a specific target, the Akron Civic Theatre, which was scheduled to hold another drag show event. On information and belief, the intended recipients of this communication include members of White Lives Matter Ohio, including the Defendants.

146. Defendant Penny also wrote a manifesto while incarcerated and attempted to send it out of the prison facility. This manifesto discussed taking action against the Akron Civic Theatre and “the tranny scum who threaten the innocence and the future of our children – no more simple protests, no more meek rallies – arm up, set these wretched buildings of wood and stone alight –show them who to fear.” On information and belief, the intended recipients of this manifesto include members of White Lives Matter Ohio, including the Defendants.

147. On January 29, 2024, at Defendant Penny’s sentencing hearing, the court acknowledged receipt of a letter from Defendant Penny’s father stating that he thought Defendant Penny’s decision to try and firebomb the church was because he was “brainwashed by online extremists.” As stated further herein this Complaint, Defendant Penny maintained an online affiliation with at least one extremist group as a member of White Lives Matter Ohio.

148. During the sentencing hearing, the court also acknowledged that Defendant Penny showed no remorse for his actions. Instead, when given the opportunity to make a statement in mitigation of sentencing, Defendant Penny stated that he attacked Community Church “to protect children.” Defendant Penny also added that “men should not dress up as females in front of kids and vice versa. That’s not natural. And children . . . shouldn’t see that kind of thing at all, and

especially in a public place of worship, supposed worship, of a God that is against such things. And that's my justification for what I did."

149. As a direct and proximate result of the joint and/or several actions of Defendants, Community Church suffered damages to its Church Property.

150. As a direct and proximate result of the joint and/or several actions of Defendants, Community Church and its members have suffered and will continue to suffer severe emotional distress.

151. Defendants are jointly and severally liable for the March 2023 attack on Community Church.

152. Upon information and belief, Defendants conspired to interfere with, deprive, and violate Plaintiffs' civil rights.

Impact of the Attack

153. After the attack on Community Church on or around Saturday, March 25, 2023, Rev. Peacock, Ms. Carver, and Ms. Becker have suffered and continue to suffer from severe emotional distress.

154. As a result of Defendants' actions, Rev. Peacock fears for his safety and that of the community. Rev. Peacock has suffered anxiety and paranoia as a result of the attack.

155. Ms. Carver has difficulty sleeping and experiences panic attacks and/or loss of breath every time she goes to Community Church. Ms. Carver now suffers from prolonged sadness, irritability, loss of motivation, and anxiety.

156. Ms. Becker experienced physical pain and muscle spasms due to the added stress caused by the attack on Community Church. Ms. Becker required support from a family counselor and nurse practitioner to cope with the negative impact that the attack on Community Church had on her mental health.

157. As a direct and proximate result of the joint and/or several actions of Defendants, Rev. Peacock, Ms. Carver, and Ms. Becker have suffered and will continue to suffer severe emotional distress.

158. Defendants are jointly and severally liable for the March 2023 attack on Community Church.

Deletion of the White Lives Matter Ohio Telegram Channel

159. After Defendant Penny's attack on the Church Property, but before Penny's arrest, White Lives Matter Ohio made their Telegram channel private in an effort to hide the conspiracy and the identity of White Lives Matter Ohio members, including the Defendants.

COUNT I
Conspiracy to Interfere With Civil Rights, 42 U.S.C. § 1985(3)
(AGAINST ALL DEFENDANTS)

160. Plaintiffs incorporate by reference all of the above paragraphs of this Complaint as though fully set forth herein at length.

161. At the time and place referenced above herein, Defendants agreed and worked together to deprive Community Church of its property rights under 42 U.S.C. § 1982.

162. Upon information and belief, the Defendants' acts were perpetrated in response to Community Church's planned hosting of two drag show events on April 1, 2023.

163. Defendants' coordinated actions violated Community Church's property rights by causing damage to the church and a sign on the church's property through the use of Molotov cocktails. This damage included scorch marks on the front door and a sign on the exterior of the building. Another sign on the property was broken.

164. Upon information and belief, Defendants' actions included, but were not limited to, the following:

- a. Defendants conspired and plotted to interfere with and deprive Community Church of its property rights;
- b. As part of the conspiracy, Defendants planned to act out against Community Church by being present and armed at its drag show events;
- c. Defendants agreed to damage the Community Church Property;
- d. Defendant Penny built Molotov cocktails to damage the Community Church Property;
- e. Defendant Penny entered the Community Church Property without permission;
- f. Defendant Penny threw Molotov cocktails at the Community Church Property with the intent to burn it to the ground; and
- g. Defendants damaged the Community Church Property because of their discriminatory animus towards Community Church's religion.

165. As a direct and proximate result of Defendants' concerted actions, which deprived Community Church of its property rights, Community Church is entitled to compensatory damages, punitive damages, and damages for costs and reasonable attorneys' fees.

COUNT II
Freedom of Access to Clinic Entrances & Places of Religious Worship,
18 U.S.C. § 268(a)(2)-(3)
(AGAINST ALL DEFENDANTS)

166. Plaintiffs incorporate by reference all of the above paragraphs of this Complaint as though fully set forth herein at length.

167. This claim arises under the FACE Act, 18 U.S.C. § 248(a)(2)-(3), which prohibits 1) the use of force or threats of force that "intentionally injures, intimidates or interferes with or attempts to injure, intimidate or interfere with any person lawfully exercising or seeking to

exercise the First Amendment right of religious freedom at a place of religious worship”, and
2) intentionally damaging or destroying, or attempting to damage or destroy, the property of a
place of religious worship.

168. Defendants entered into a civil conspiracy by forming an agreement to participate
in intentional acts of violence in furtherance of their mutual goal of harming, intimidating,
destroying, depriving, and violating the property of Plaintiffs because of their religious beliefs
and practices.

169. On March 25, 2023, as part of their conspiracy, Defendant Penny intentionally
damaged the Community Church Property with a Molotov cocktail and damaged a Community
Church sign.

170. As a direct and proximate result of Defendants’ concerted actions, Plaintiffs have
suffered damages. Plaintiffs are entitled to compensatory damages, punitive damages, and
damages for costs and reasonable attorneys’ fees.

171. As such, Defendants, collectively, are civilly liable to Plaintiffs for their actions.

COUNT III
Freedom of Access to Clinic Entrances & Places of Religious Worship,
18 U.S.C. § 268(a)(2)-(3)
(AGAINST DEFENDANT PENNY)

172. Plaintiffs incorporate by reference all of the above paragraphs of this Complaint
as though fully set forth herein at length.

173. This claim arises under the FACE Act, 18 U.S.C. § 248(a)(2)-(3), which prohibits
1) the use of force or threats of force that “intentionally injures, intimidates or interferes with or
attempts to injure, intimidate or interfere with any person lawfully exercising or seeking to
exercise the First Amendment right of religious freedom at a place of religious worship,” and

2) intentionally damaging or destroying, or attempting to damage or destroy, the property of a place of religious worship.

174. Defendant Penny entered into a civil conspiracy by forming an agreement to participate in intentional acts of violence in furtherance of Defendants' mutual goal of harming, intimidating, destroying, depriving, and violating the property of Plaintiffs because of their religious beliefs and practices.

175. On March 25, 2023, as part of the conspiracy, Defendant Penny intentionally damaged the Community Church Property with a Molotov cocktail and damaged a Community Church sign.

176. As a direct and proximate result of Defendants' concerted actions, Plaintiffs have suffered damages. Plaintiffs are entitled to compensatory damages, punitive damages, and damages for costs and reasonable attorneys' fees.

177. As such, Defendant Penny, individually, is civilly liable to Plaintiffs for his actions.

COUNT IV
Civil Liability for Vandalism, Desecration, or Ethnic Intimidation,
Ohio R.C. § 2307.60(A)(1) and § 2307.70(A)
(AGAINST DEFENDANT PENNY, in his individual capacity, AND AGAINST ALL
DEFENDANTS)

178. Plaintiffs incorporate by reference all of the above paragraphs of this Complaint as though fully set forth herein at length.

179. Under Ohio Rev. Code § 2307.60(A)(1), "Anyone injured in person or property by a criminal act has, and may recover full damages in, a civil action," including the costs of maintaining the civil action, attorney's fees, and punitive damages.

180. Under Ohio Rev. Code § 2307.70(A), “Any person who suffers injury or loss to person or property as a result of an act committed in violation of section 2909.05, 2927.11, or 2927.12 of the Revised Code has a civil action against the offender and may recover” court costs, attorney’s fees, compensatory damages, damages for emotional distress, and punitive damages.

181. By throwing Molotov cocktails at Community Church, Defendants purposefully defaced and damaged a place of worship.

182. As a result of Defendants’ actions, Community Church sustained damage to the exterior walls of the church building, a sign on the church property, and a banner hung on the church’s exterior.

183. As a direct and proximate result of Defendants’ concerted actions, which injured the Community Church Property, Community Church is entitled to compensatory damages, punitive damages, and damages for costs and reasonable attorneys’ fees.

184. As such, Defendant Penny, individually, and Defendants, collectively, are civilly liable to Plaintiffs for their actions.

COUNT V
Trespass to Land
(AGAINST DEFENDANT PENNY, in his individual capacity, AND AGAINST ALL
DEFENDANTS)

185. Plaintiffs incorporate by reference all of the above paragraphs of this Complaint as though fully set forth herein at length.

186. Defendants entered into a civil conspiracy by forming an agreement to participate in intentional acts of violence in furtherance of their mutual goal of harming, intimidating, destroying, depriving, and violating the property of Community Church because of its religious beliefs and practices.

187. On March 25, 2023, as part of their conspiracy, Defendant Penny intentionally and without permission entered onto the Community Church Property with Molotov cocktails.

188. Defendant Penny threw two Molotov cocktails onto the Community Church Property.

189. Community Church's possessory interest in its property was interfered with by the Defendants as the Molotov cocktails caused damage to the exterior walls of the church building and a banner hung on the church's exterior. Defendants also damaged a sign on the Community Church Property without the use of Molotov cocktails.

190. This was intentional as Defendant Penny wanted to "protect children and stop the drag show event" that was to take place in the coming days.

191. Defendant Penny intended that the Molotov cocktails burn the Church Property to the ground, thereby preventing Community Church from using the property in the exercise of its religious beliefs.

192. As a direct and proximate result of Defendants' concerted actions, which injured the Community Church Property, Community Church is entitled to compensatory damages, punitive damages, and damages for costs and reasonable attorneys' fees.

193. As such, Defendant Penny, individually, and Defendants, collectively, are civilly liable to Plaintiffs for their actions.

COUNT VI
Intentional Infliction of Emotional Distress
(AGAINST DEFENDANT PENNY, in his individual capacity, AND AGAINST ALL
DEFENDANTS)

194. Plaintiffs incorporate by reference all of the above paragraphs of this Complaint as though fully set forth herein at length.

195. Defendants acted extremely and outrageously by threatening to appear outside of Community Church's Drag Storytime event and by throwing Molotov cocktails at Community Church.

196. Defendants intentionally caused emotional distress to Community Church, its members, and its clergy by threatening to rally against Community Church's Drag Storytime event and by throwing Molotov cocktails at Community Church. Defendants intended to cause this distress so that Community Church would cancel the Drag Storytime event.

197. Defendants' actions caused severe emotional injury to Community Church, its members, and its clergy.

198. Due to Defendants' actions, Rev. Peacock fears for his safety and that of the community.

199. Ms. Carver has difficulty sleeping and experiences panic attacks and/or loss of breath every time she goes to Community Church.

200. Ms. Carver now suffers from prolonged sadness, irritability, loss of motivation, and anxiety.

201. Ms. Becker experienced physical pain and muscle spasms due to the added stress caused by the attack on Community Church.

202. Ms. Becker required support from a family counselor and nurse practitioner to cope with the negative impact that the attack on Community Church had on her psyche.

203. As a direct and proximate result of Defendants' concerted actions, which caused severe emotional injury to Plaintiffs, Plaintiffs are entitled to compensatory damages, punitive damages, and damages for costs and reasonable attorneys' fees.

204. As such, Defendant Penny, individually, and Defendants, collectively, are civilly liable to Plaintiffs for their actions.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Honorable Court enter judgment against Defendants for the following:

- a. An award of compensatory damages pursuant to 42 U.S.C. § 1985(3), 18 U.S.C. § 268(c)(1)(B), and Ohio Rev. Code §§ 2307.60(A), 2307.70(A) in an amount that will fully and fairly compensate Plaintiffs for their damages and loss;
- b. An award of punitive damages, as allowed by the Court or pursuant to 42 U.S.C. § 1985(3), 18 U.S.C. § 268(c)(1)(B), and Ohio Rev. Code §§ 2307.60(A), 2307.70(A), in an amount that will serve to adequately punish and deter the conduct alleged herein;
- c. An award of costs and reasonable attorneys' fees against Defendants in favor of Plaintiffs pursuant to 42 U.S.C. § 1988(b) and Ohio Rev. Code §§ 2307.60(A) and 2307.70(A);
- d. An award of expert fees against Defendants in favor of Plaintiffs pursuant to 42 U.S.C. § 1988(c) and 18 U.S.C. § 268(c)(1)(B); and
- e. Such other and further relief as this Honorable Court may deem just and proper, including any applicable pre-judgment and post-judgment interest, and/or declaratory relief.

JURY DEMAND

Plaintiffs hereby demand a jury trial on all issues so triable.

Dated: April 10, 2024

Respectfully submitted,

/s/ Justin E. Herdman

Justin E. Herdman (OH #80418)

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